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November 7, 2006

VIA ELECTRONIC FILING

The Honorable Gregory M. Sleet
United States District Court
844 N. King Street
Wilmington, DE 19801

Re: *Textron Innovations Inc. v. The Toro Company*
Civil Action No. 05-486

Dear Judge Sleet:

In anticipation of the discovery teleconference scheduled for Thursday, November 9, 2006, at 9:15 a.m., in the above-captioned matter, the parties jointly submit the following items to be presented to the Court:

Plaintiff's Issues:

- Defendant's redaction of responsive documents, including documents relating to engineering, marketing, and financial issues.

Defendant's Issues:

- Plaintiff's failure to search related corporate entities for documents responsive to Toro's discovery requests, including requests for prior art.
- Plaintiff's failure to produce documents, including documents concerning products alleged to be covered by the patents-in-suit and prior art products manufactured by corporate entities related to plaintiff.

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- Plaintiff's refusal to supplement Interrogatory No. 10.

Respectfully,



Edmond D. Johnson (# 2257)

EDJ/kw

cc: Clerk of the Court (via hand delivery)
Richard L. Horwitz, Esq. (via electronic filing)
David E. Moore, Esq. (via electronic filing)
File No. 31527-1